

**REMARKS**

Claims 22-38 were pending when last examined. With this Response, Applicants have cancelled claims 22-38, and added new claims 39-58. No new matter has been added.

**Claim Rejections – 35 USC § 101**

Claims 31-38 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 31-38 have been canceled without prejudice to pursue the claimed subject matter in a continuation.

**Claim Rejections – 35 USC § 102**

Claims 22, 23, 25-27, 29-32, 34-36, and 38 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,298,482 to Seidman et al (“Seidman”). Claims 22, 23, 25-27, 29-32, 34-36, and 38 have been canceled without prejudice to pursue the claimed subject matter in a continuation.

**Claim Rejections – 35 USC § 103**

Claims 24, 28, 33, and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Seidman in view of U.S. Pat. No. 6,701,528 to Arsenault et al (“Arsenault”). Claims 24, 28, 33, and 37 have been canceled without prejudice to pursue the claimed subject matter in a continuation.

**New Claims**

Claims 39-58 have been added. Support for the new claims can be found at least in FIGS. 1-3, 6, and 7, and the corresponding description in the specification. Applicants submit that claims 39-58 are allowable over the prior art of record.

Claim 39 recites, in part, a user action list that lists user actions and includes a first user action item corresponding to a first user action, where the first user action item includes

a reference identifier identifying a content description that is separate from the user action list and specifies a genre of the multimedia program.

Neither Seidman nor Arsenault discloses the claimed reference identifier. Although Seidman discloses a Selection History Record (*FIG. 4 and col. 7:39-62*), it fails to disclose the reference identifier identifying a content description that is separate from the user action list and specifies a genre of the multimedia program. Instead, Seidman's Selection History Record itself specifies a Program Category. *Id.*

Arsenault is equally lacking. Arsenault discloses selecting video programs based on categories (*col. 16:50-67*), but fails to disclose the claimed reference identifier.

Because neither Seidman nor Arsenault discloses the claimed reference identifier, claim 39 is allowable. Claims 40-47 depend from claim 39, and are allowable for at least the same reasons.

Independent claims 48 and 54 recite, in part, a reference identifier similar to that recited in claim 39. Because neither Seidman nor Arsenault discloses this limitation, claims 48 and 54 are allowable. Claims 49-53 and 55-58 are dependent claims that are allowable for at least the same reasons as their respective base claims.

**CONCLUSION**

Applicants respectfully request that the pending claims be allowed and the case passed to issue. Should the Examiner wish to discuss the Application, it is requested that the Examiner contact the undersigned at (415) 772-7493.

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12/13/05

Richard A. Paz

Date

Signature

Respectfully submitted,



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December 13, 2005

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